UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION 3:19-cv-00712-RJC-DSC

| BRANDON Z. JOYNER, |) |
|--|----------------------|
| Plaintiff, |) |
| vs. |))) ORDER |
| NORTH CAROLINA HIGHWAY PATROL, et al., |))) |
| Defendants. |)) |

THIS MATTER is before the Court on review of this docket in this matter.

Plaintiff Brandon Z. Joyner ("Plaintiff") filed a *pro se* civil action on December 30, 2019, purporting to bring claims against Defendants North Carolina Highway Patrol (NCHP), "Trooper 1," and "Trooper 2." [Doc. 1]. After granting Plaintiff in forma pauperis status, the Court conducted initial review of Plaintiff's Complaint pursuant to 28 U.S.C. § 1915(e)(2). The Court found that Plaintiff Plaintiff's claims are barred by Heck v. Humphries, 512 U.S. 477 (1994). [Doc. 3]. The Court also held that, in addition to being Heck-barred, Defendant NCHP would be dismissed in any event. [Id.]. The Court allowed Plaintiff thirty (30) days from March 6, 2020 to amend his Complaint in accordance with the terms of the Court's Order to show that his claims are not barred by Heck. [Doc. 3]. The Court advised Plaintiff that if he failed to timely file an amended Complaint, this action would be dismissed without prejudice and without further notice to Plaintiff. [Id.].

More than 30 days have passed, and Plaintiff has not filed an amended Complaint. The Court will, therefore, dismiss this action without prejudice.

IT IS, THEREFORE, ORDERED that:

- 1. The Plaintiff's Complaint is dismissed [Doc. 1] without prejudice.
- 2. The Clerk is instructed to terminate this action.

Signed: May 18, 2020

Robert J. Conrad, Jr.

United States District Judge